

SUSAN S. MUCK (CSB NO. 126930)
DEAN S. KRISTY (CSB NO. 157646)
CATHERINE DUDEN KEVANE (CSB NO. 215501)
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco, CA 94104
Telephone: (415) 875-2300
Facsimile: (415) 281-1350
smuck@fenwick.com
dkristy@fenwick.com
ckevane@fenwick.com

Attorneys for Defendants
Shoretel, Inc.; John W. Combs; Michael E. Healy; Edwin J.
Basart; Gary J. Daichendt; Thomas Van Overbeek; Kenneth
D. Denman; Charles D. Kissner; and Edward F. Thompson

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PHYNICE KELLEY, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

SHORETEL, INC.; JOHN W. COMBS;
MICHAEL E. HEALY; EDWIN J. BASART;
GARY J. DAICHENDT; THOMAS VAN
OVERBEEK; KENNETH D. DENMAN;
CHARLES D. KISSNER; EDWARD F.
THOMPSON; LEHMAN BROTHERS, INC.;
J.P. MORGAN SECURITIES, INC.; and
PIPER JAFFRAY & CO.,

Defendants.

Case No. CV 08 0683 CRB
Related Case No. CV 08 0271 CRB

**STIPULATION AND [PROPOSED]
ORDER CONTINUING DATE FOR
INITIAL CASE MANAGEMENT
CONFERENCE**

WHEREAS the initial case management conference in the above-captioned action is
currently scheduled for April 25, 2008;

WHEREAS pursuant to the stipulation entered into by the parties on February 6, 2008, the
time for each Defendant to answer, move or otherwise respond to the complaint in the above-

captioned action is extended until after the appointment of a Lead Plaintiff and Lead Plaintiff's Counsel and the filing of a consolidated complaint (or designation of an operative complaint);

WHEREAS, the parties believe that the interests of judicial economy are better served by postponing the case management conference until after the hearing on the defendants' motions to dismiss; and

IT IS THEREFORE STIPULATED AND AGREED by plaintiffs and defendants, through their respective counsel of record that, subject to the Court's approval, the Initial Case Management Conference in this action, currently set for April 25, 2008, shall be taken off calendar and rescheduled to after the hearing on the defendants' motions to dismiss, on a date convenient for the Court and that, pursuant to the Court's Order Setting Initial Case Management Conference and ADR Deadlines, the other deadlines set forth therein are continued accordingly.

It is SO STIPULATED.

Dated: February 28, 2008

FENWICK & WEST LLP

By: /s/ Catherine D. Kevane
Catherine D. Kevane

Attorneys for Defendants

Shoretel, Inc.; John W. Combs; Michael E. Healy; Edwin J. Basart; Gary J. Daichendt; Thomas Van Overbeek; Kenneth D. Denman; Charles D. Kissner; and Edward F. Thompson

I, Catherine D. Kevane, am the ECF User whose ID and password are being used to file this **STIPULATION AND [PROPOSED] ORDER CONTINUING DATE FOR INITIAL CASE MANAGEMENT CONFERENCE**. In compliance with General Order 45, X.B., I hereby attest that each of the two signatories identified below has concurred in this filing.

1 Dated: February 28, 2008

SCHIFFRIN BARROWAY TOPAZ &
KESSLER, LLP

2
3
4 By: /s/ Alan R. Plutzik
Alan R. Plutzik

5 Attorneys for Plaintiff

6 Dated: February 28, 2008

BINGHAM McCUTCHEN LLP

7
8 By: /s/ Charlene S. Shimada
Charlene S. Shimada

9 Attorneys for Defendants

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11 Lehman Brothers Inc., J.P. Morgan Securities
Inc. and Piper Jaffray & Co.

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15 **ORDER**

16 The parties having so stipulated, and good cause appearing,

17 IT IS SO ORDERED.

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20 Dated: _____

21 Honorable Charles R. Breyer
United States District Court Judge